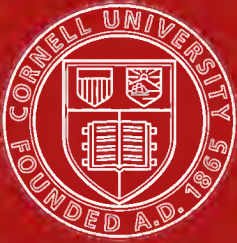


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HISTORICAL PUBLICATIONS OF WAYNE COUNTY
MICHIGAN

NUMBERS 1 AND 2

Documents Relating
to the
Erection of Wayne County
and
Michigan Territory

*Printed by Authority of the Board of Supervisors
for the County of Wayne, in Accordance with
Act No. 254, Michigan Public Acts, 1919*

PREPARED FOR PUBLICATION
BY THE
BURTON HISTORICAL COLLECTION
DETROIT PUBLIC LIBRARY
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INTRODUCTION.

The documents that are printed herein, from originals or copies in the Detroit Public Library, constitute the first proceedings taken to establish the Territory of Michigan as one of the separate territorial governments contemplated by the Ordinance of 1787. That Ordinance provided that the Territory of the United States Northwest of the River Ohio should ultimately be divided into not less than three nor more than five states. In carrying out the provisions of the Ordinance each contemplated state (with the exception of Ohio) went through the various grades of territorial government before arriving at statehood. Michigan, in 1796 when the British troops evacuated the western posts, was included in the County of Wayne (erected August 15, 1796), one of the counties of the Northwest Territory. Upon the formation of Indiana Territory the eastern half of Michigan was left with the Ohio country, as the remnant of the Northwest Territory, but upon the organization of the State of Ohio this region was severed from that state and was attached to Indiana Territory. Early in 1803 the citizens in the neighborhood of Detroit began aggressive movements for the establishment of an independent territorial government. Persistent petitions were sent to Congress hoping for favorable results, but it was not until 1805 that the law was passed for organizing Michigan Territory.

It was in the period between 1796 and 1805 that the progressive steps leading to separate territorial government were taken as indicated by these papers.

C. M. BURTON,
City Historiographer.

Detroit, 1922.

Documents Relating to the Erection of Wayne County and Michigan Territory.

THE ORDINANCE OF 1787.¹

* * * * *

Article the Fifth. There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the states, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to wit: The western state, in the said territory, shall be bounded by the Mississippi, the Ohio, and the Wabash rivers; a direct line drawn from the Wabash and Post Vincent's due north, to the territorial line between the United States and Canada, and by the said territorial line to the lake of the Woods and Mississippi. The middle state shall be bounded by the said direct line, the Wabash from Post Vincent's to the Ohio; by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern state shall be bounded by the last-mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared, that the boundaries of these three states, shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of lake Michigan: and whenever any of the said states shall have sixty thousand free inhabitants therein, such state shall be admitted, by its delegates, into the Congress of the United states, on an equal footing with the original states, in all respects whatever; and shall be at liberty to form a permanent constitution and state government: Provided, the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the state than sixty thousand.

* * * * *

1. From *Photographic Fac-simile of an Ordinance for the Government of the Territory of the United States North-west of the River Ohio*, from the Library of William L. Clements.

WAYNE COUNTY, NORTHWEST TERRITORY.

PROCLAMATION²

By Winthrop Sargent

[L: S:] Acting as Governour of the Territory of the United States
Northwest of the river Ohio

To all persons to whom these Presents shall come—Greeting

WHEREAS by an ordinance of Congress of the thirteenth of July one thousand seven hundred and Eighty seven for the settlement of the Territory of the United States Northwest of the river Ohio, it is directed, *that* for the due Execution of process civil and criminal the Governour shall make proper Divisions of the said Territory and proceed from time to time as circumstances may require to lay out the same into Counties and Townships—and *whereas* it appearing to me expedient that a new County should immediately be erected, to include the settlements at Detroit &c^a I do hereby ordain and order that all and singular the Lands lying and being within the following Boundaries VIZ,—beginning

At the mouth of the Cayahoga river upon Lake Erie, and with the said river to the portage between it and the Tuscarawa branch of the Muskingum—thence down the said branch to the Forks at the carrying place above Fort Lawrance—thence by a west Line to the eastern Boundary of Hamilton County (which is a due north line from the lower Shawonese Town upon the Sciota river) thence by a line west northerly to the southern part of the portage between the Miamis of the Ohio and the St. Mary's river—thence by a line *also* west northerly to the Southwestern part of the portage between the Wabash and the Miamis of Lake Erie, *where* Fort Wayne now stands—thence by a line west northerly to the most southern part of Lake Michigan—thence along the western shores of the same to the Northwest part thereof (including the Lands upon the streams emptying into the said Lake) thence by a due north Line to the territorial

2. From original. Fac-simile in Farmer's *History of Detroit*, 1884, vol. 1, p. 118.

Boundary in Lake Superior and, with the said Boundary through Lakes Huron, St. Clair and Erie to the mouth of Cuyahoga river, the place of Beginning—Shall be a County, Named, and henceforth to be styled the County of Wayne—which said County shall have and enjoy all and singular the Jurisdiction, rights, Liberties, Privileges and Immunities whatsoever to a County appertaining and which any other County that now is, or hereafter may be erected and laid out shall or ought to enjoy conformably to the ordinance of Congress before mentioned.—

In Testimony whereof I have hereunto set my hand and affixed the seal of the Territory this fifteenth day of August and the Twenty first year of the Independance of the United States A.D. one thousand seven hundred and ninety six.

[Signed] WINTHROP SARGENT

INDIANA TERRITORY.

*An ACT to divide the territory of the United States north-west of the Ohio, into two separate governments.*³

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the fourth day of July next, all that part of the territory of the United States north-west of the Ohio river, which lies to the westward of a line beginning at the Ohio, opposite to the mouth of Kentucky river, and running thence to fort Recovery, and thence north until it shall intersect the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate territory, and be called the Indiana Territory.

* * * * *

Sec. 5. *And be it further enacted,* That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the territory of the United States north-west of the Ohio river, further than to prohibit the exercise thereof within the Indiana Territory, from and after the aforesaid fourth day of July next: *Provided,* That whenever that part of the territory of the United States which lies to the eastward of a line beginning at the mouth of the Great Miami river, and running thence due north to the territorial line between the United States and Canada, shall be erected into an independent state, and admitted into the Union on an equal footing with the original states, thenceforth said line shall become and remain permanently the boundary line between such state and the Indiana territory; anything in this act contained to the contrary notwithstanding.

Sec. 6. *And be it further enacted,* That until it shall be otherwise ordered by the legislatures of the said territories respectively, Chillicothe, on Scioto river, shall be the seat of the government of the territory of the United States north-west of the Ohio river; and that Saint Vincennes, on the Wabash river, shall be the seat of the government for the Indiana territory.

THEODORE SEDGWICK,

Speaker of the House of Representatives.

TH: JEFFERSON,

*Vice-President of the United States, and
President of the Senate.*

APPROVED—May 7th, A. D. 1800.

JOHN ADAMS, *President of the United States.*

3. From *Acts Passed at the First Session of the Sixth Congress of the United States*, pp. 139-141.

ENABLING ACT FOR OHIO

*An Act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and for other purposes.*⁴

* * * * *

Sec. 3. *And be it further enacted*, That all that part of the territory of the United States northwest of the river Ohio, heretofore included in the eastern division of said territory, and not included within the boundary herein prescribed for the said State, is hereby attached to, and made a part of, the Indiana Territory, from and after the formation of the said State, subject, nevertheless, to be hereafter disposed of by Congress, according to the right reserved in the fifth article of the ordinance aforesaid, and the inhabitants therein shall be entitled to the same privileges and immunities, and subject to the same rules and regulations, in all respects whatever, with all other citizens residing within the Indiana Territory.

* * * * *

Approved, April 30, 1802.

4. From *The Federal and State Constitutions*, comp. by B. P. Poore. 2d ed., 1878, pt. 2, pp. 1453, 1454.

WAYNE COUNTY, INDIANA TERRITORY.

By William Henry Harrison Esq^r, Governor and Commander in Chief
of the Indiana Territory.⁵

A PROCLAMATION.

[L. S.] WHEREAS by an act of Congress passed the 30th of April 1802. entitled "AN Act to enable the people of the Eastern division of the Territory North west of the River OHIO," to form a Constitution and State Government and for the admission of such State, into the Union on an equal footing with the Original States and for other purposes."——It is declared that from and after the formation of the said State, all that part of the North Western Territory which is not included within the boundaries prescribed for the said State, shall be attached to, and make part of the Indiana Territory.——AND WHEREAS the Inhabitants of the said Eastern division have formed themselves into an independent state by the name of the State of OHIO.——It has become necessary for the convenience of the Citizens in the newly acquired Territory and the due administration of Justice that a new County should be laid off and alterations made in the boundaries of those formerly established.——WHEREFORE I William Henry Harrison Governor of the INDIANA TERRITORY by the authority vested in me by the Ordinance for the Government of the Territory, DO ORDAIN AND DECLARE That a County shall be formed in the North Eastern part of the Territory to be known and designated by the name and style of the County of Wayne.——And the boundaries of the said County shall be as followeth to wit.—BEGINNING at a point where an East and West line passing through the

5. From original. Marginal note at left: "Indiana Territory Set."

Southerly extreme of LAKE MICHIGAN would intersect a north and south line passing through the Most Westerly extreme of the said Lake, and thence north along the last mentioned line to the Territorial Boundary of the United States, thence along the said boundary line⁶ to a point where an East and west line passing through the Southerly extreme of LAKE MICHIGAN would intersect the same, thence west along the last mentioned line to the place of BEGINNING.—And all the aforesaid lands lying within the above described lines and boundaries are hereby erected into the County of Wayne. AND the Inhabitants of the said County of Wayne shall have and enjoy (from the date hereof) all the rights priviledges and immunities whatsoever which to a County and the Inhabitants thereof in any wise appertain.—AND each and every person within the bounds of the said County of Wayne who held commissions Civil or Military under the Government of the North Western Territory at the time of the formation of the State of OHIO, shall still continue to exercise and enjoy their respective Offices.—AND the Justices of the Court of Common pleas; of the General Quarter Sessions of the peace, and of the Orphans Court shall (until otherwise directed) continue to hold their respective Courts at the place and times at which they were accustomed to be held under the Government of the North Western Territory. AND WHEREAS I have not received sufficient information respecting the settlements, below the Great Miami; to enable me to form in that quarter a County Establishment, For the present, That tract of Country included between a North line drawn from the Mouth of the Big Miami River; the Ohio, and the Indian boundary line running from a point opposite to the mouth of the KENTUCKY RIVER shall be attached to and form part of the County of Clark.—AND such persons within the said bounds as may have held Civil or military Commissions under the Government of the North Western Territory, at the time when the said described tract was attached to this Territory, are hereby appointed to the same

6. Marginal note at left: "Will^m Henry Harrison."

Erection of Wayne County

Offices respectively in the County of Clark which they held under the Government of the North Western Territory.

DONE at ST, VINCENNES the fourteenth day of January in the year of our Lord one thousand Eight hundred and three. and of the Independence of the United States the twenty seventh.

By the Governor

Jno. Gibson Secrety.

PETITIONS FOR ERECTION OF MICHIGAN TERRITORY.

To the Honorable the Senate and House of Representatives of the United States.⁷

THE MEMORIAL of the Citizens of the United States, situated North of an East and West line, extending thro' the southwardly bend of Lake Michigan; and by the Act of Congress of 30th April 1802. attached to, and made part of the Indiana Territory.

RESPECTFULLY SHEWETH.

That your Memorialists since the Cession of the Western Posts by the British Government, and during the time they were under the immediate Government of the North Western Territory, from their local situation, connected with other causes, perhaps unavoidable, experienced many inconveniencies arising from the imperfect and defective Administration of Justice and the laws, which were patiently submitted to under an impression that a change would have shortly taken place, calculated to remove the Evil and effect a redress of their grievances.—But unfortunately for this Country, the late Law of Congress attaching us to the Indiana Territory, instead of relieving, has greatly added to the weight of Our embarrassment. Silence upon a measure, so evidently hostile to the growth and future prosperity of this Country, would argue a want of due consideration for Ourselves and the sacred duties we owe to Our posterity, as well as Our utter diffidence in the Justice, faith and generosity of the Government of Our common country.

Your Memorialists cannot but flatter themselves with the belief, that had Congress possessed more particular, accurate and ample information respecting the real interest of this remote Country, the Law attaching it to the Indiana Territory would never have passed in its present form.—The immense distance from the settlements upon

⁷. From photostatic reproduction. Original in the Library of Congress. In English and French.

the waters of the Lakes, to the established Seat of that Government, united with the extreme difficulty of carrying on a regular intercourse, thro' an Indian Country of such extent, places us in a situation truly Critical and alarming, and in many respects, but a little preferable to a state of nature.

Contemplating this Country in a Commercial point of view, the necessity, and we humbly conceive, sound policy, of erecting it into a separate Independent Territory, will appear obvious. Many important commercial questions have already arisen in this quarter, both wherein the United States are interested, as well as between Individual Citizens, several of which have been removed into the General Court, and will continue to be carried up into that Court for a final decision.—Experience has already taught us the ruinous consequence which a procrastination in judicial proceedings, produces to Commerce; for a term of more than Six Years, whilst under the Government of the North Western Territory, but Two Superior-Courts were held in the County of Wayne; notwithstanding the many Actions removed into the General Court by error &c—Several of which still remain undecided, altho' pending for Three or Four years. The ostensible causes which operated to deprive us of regular and stated courts, whilst a part of the late Territory, must necessarily increase, so long as we remain attached to the Indiana, in a ratio, proportionate to the increase of distance, added to the greater hazard, the Judges must encounter in performing a Journey of at least double the distance the late Judges had to travel, and the whole of that immense distance, thro' a continued Indian Country, inhabited by distinct Nations and Tribes of Savages, often at War amongst themselves, as well as hostile to travellers. Detroit which is the nearest to Post Vincennes of all the Settlements of consequence upon the Waters of the Lakes, lies at least, Seven Hundred computed Miles from that place; Michillimackinac, and St. Maries, at the foot of Lake Superior lie at least four Hundred Miles further from thence; and have no possible Communication with the Seat of the New Government, except either by the Waters of the Mississippi or Detroit.—In addition to the foregoing Observations, your Memorialists, beg leave further to suggest, the probable beneficial effects, which would result to the General Government by a liberal encouragement, to Citizens, emigrating to this

Country, which would be greatly accelerated, in the event of its being erected into a separate Territory: A measure which would relieve the Federal Government from a very considerable annual expense sustained in support of Garrisons, Illy calculated, to defend and protect an extensive Frontier, in its present weak and exposed condition.—Neither will the Government 'tis hoped, view the rich and lucrative Trade and Commerce of an extensive Country, with indifference, but by its countenance and protection afford a fair opportunity to the enterprising Citizen of Capital, to enter into and share an equal participation, in the only Trade of the Country, at present wholly engrossed by foreigners.—

The Revenue of the United States collected upon these Waters, at present of some importance, [would] we conceive, under a Separate Territory, be considerably augmented, both from an increase of consumption of dutiable articles, as also, from the greater ease and promptitude with which the Duties would be collected, whilst a contrary effect will undoubtedly happen, if continued under the Indiana Government.—

No Individual Citizen will feel deeply interested, in the welfare of a Government, which from local Causes, cannot be beneficial; neither will he zealously exert himself in aiding to enforce Laws from which he cannot derive the least possible advantage:—But will rather embrace the earliest possible opportunity to quit a Country, wherein he is not certain of even protection for his Person, much less for his property.—

YOUR MEMORIALISTS, deeply impressed with the Justice and reasonableness of their request, flatter themselves that, the Honourable Congress will at an early Period, take their Petition under consideration, and if consistent with the general Interest of the Union, grant their prayer, by Erecting into a Separate Territory, that District of Country, which is situated North of the above mentioned East and West line; and by establishing in and over said District, a Government similar to the one pointed out by the Ordinance of Congress of the 13th of July 1787—for the Government of the North-Western Territory—And as in duty bound will ever pray &c.—

DETROIT 20th MARCH 1803.

Jas. Henry
 S. Sibley
 James May
 Cha^s Curry
 Rob^t Abbott
 William M^c Scott
 J Wilkinson
 John Dodemead
 Matt^w Ernest
 E Brush
 W^m Brown
 F. Bates
 Ja^s Wallace
 Tho^s M^cCrae Jun
 John Connelly
 Matthew Donovan
 Jacob Clemens
 Robert Forsyth

Jonathan Nelson
 Jacob Visger
 James Loyd
 Jacob Smith
 John Cissne
 John Baine
 W^m Russell
 John Reyburne
 Isaac Ruland
 Rich^d Smyth
 Ephraim Town
 Jorlah Brady
 Henry Cromly
 Ebin^r Bachellor
 Israel Hunt

fr.Çois Lafontaine
 Joseph Harrison
 Aaron thomas
 Wilom Hey
 James M^cM Adams
 Christopher Tuttle
 Thomas Jordan
 James Williams
 Henry Wilson
 John Skaggs
 Phelp Lonord [Leonard ?]
 John Robinson
 Martin Myers
 James LarranC [Lawrence] Allen
 John Batteas + Reba [Robert ?]
 William Allen
 Luie + Defour Ju^r
 Geo : M^cDougall
 Fr^s Navarre
 Josephe + Robert
 Lewis Bond
 Robert Irwin
 Giles Barnes
 Talmon Bedient
 Pierre Doucette
 Charles Lafountain
 Bebtist Lafountain
 Jean Marie Bourdeau
 Elias Willcox
 Ale : Ewing Junor
 David Bryant
 David Robbe
 David Simmons
 James Moore
 Barnard Parkar
 Freeman Shaw
 Ananias M^cMillen

Israel Ruland	William Griffith
John Conner	Gilman Bryant
John Shaw	Ichabod Leach
William Cissne	John [Anderson?]
James Cissne	Medare + Laberdy [Labadie]
Godfrey Corbus	Rynia [René] + Laboe
Joseph Banner	Louis + Monmenie
Joseph Hurtt	antoine Roberr fis [Robert, jun.]
Rich Jones	Louis + Berrie [Baret?]
Nathan Hurtt	Thompson Maxwell
Stephan Cissne	Jean Bap Solo
William Hurtt	Gabriel Fontaine
Edward M ^c Carty	Samuel Egnew
James Bevard	Tho ^s John
Abraham Conner	Joseph Huntington
Henry Slason	Hermann=Eberts
Jesse Slasone	Jean Beinjamin Schmor
Jn ^o . P. Randalls	William Kelly
P. W. Tompin [Thompson]	John L. Hoffman
Geo. Rich	An ^t Dequindre Jun ^r
Joseph Kilbourn	William Beard
Gideon Codey [or Corby]	Ch F Girardin
William Eagan	Fr. Girardin
Joseph Voyer Jun ^r	John Burrell
Theophile + Mette	John Meldrum
Geo: Smart	F D ^x Bellecour
James Meldrum	J ⁿ Pratt jun
John Dodemead Jun ^r	Pierre Dufour Ju ^r
Henry Hyman	Francois Dupre Seg ^r
J : Bte + LeBeaut [Lebeau]	Francois Dupré Ju ^r
J : Bte Roulau [Rouleau]	J,, Bte Duchenaïs
J : Bte ^{sa} + Brunaux [Bruneau]	Francois Giegne [Gignier?]
m[ar]que	
Andre Boisdoré	Jn ^o . Dicks
Jacob Dicks	Henry Cotterell
George Cotterall	David Cotterell
George Cotterell Jun ^r	Joseph Lafrance

James Cotterell
 N. Göuin
 James Conner
 John Connor
 William Conner
 Henry Connor
 Richard Connor

Louis Beufait, S^r
^{sa}
 Pierre + Bonhomme
^{marque}
^{sa}
 Francoise + Laroux
^{marque}
^{sa}
 Amable + Lasource
^{marque}

[Signatures to French version.]

Charles Gouin
 Charles roulau
 Franc^s trudelle
 Pierre Demers
 Francois lajeunesse
 damien Prénouveaux
 Joseph Mallet
 Fr: Chovin
 alexandre Woellet
 hyacinthe reopell [Riopel]
 Joseph Cattin
 Jⁿ. baptste Drouilleard
 John Harvey
 Jn^o. Nichols
 Nath. Swainy
 Denis Dougherty
 David Handersan
 Tho^s Mahoney
 Felix Mitty [Meté]
 Jon Baptist + tranblés [Tremblé]
 Joseph Lacomble
 Louis + Roit [Rois?]
 jan bap^{te} + prudom [Prudhomme]
 jan baptis + Bellanger
 pierre + Rollan
 Joseph Bezeau fils
 Joseph + Bezeau perre

Francois Chabert Joncaire
 Jonathan Schieffelin
 françois Lasséle
 Joseph Beaubien perre [père]
 Jacque peltier perre
 Jacques Peltier
 Prisque Cotté Jun^r.
 Jos Cote
 J. B^{te}. Beaugrand
 Louis Loognon [Lognon]
 Joseph Louis Tramblay [Tremblé]
 F Lasselle
 G: Godfroy père
 Ph: Lécuyer
 Hry Guid Mayrand

Etienne Dubois
 Augustin Lagrave
 Francois Pepin
 Gabriel Godfroy fils
 Martin Nadaut [Nadeau]
 Franc^s Desnoyer
 John Lagord [Lagore]
 Ignace Morasse
 Michel Monette
 Rober Navarre

Baseil Pepin	Pierre Navarre
Bapties Coutieux	John B ^t Cicott Ju ^r
Joseph + Lanfan fis	Antoine Lefranc
Joseph Barrie	Jacques Desplas [Desplat]
Médare + Couthier	Antoine Campeau
François + Soudryet fils	Allexis Campeau
[Sourdillet]	Pierre Descombe Labady
B ^{te} . + drouijar fils [Drouillard]	Pierre Descombe Labady Fils
antoine roberr [Robert]	Louis Boudrias.
B ^{te} . + Raiaume fils [Reaume]	Joseph Vardon
loui + Susor fils	Joseph Andrée L'estalien
Joseph Nievon	[L'Italien]
Louis Susore pere	Alexis Lemay
Louis Robidou	Joseph Nadaut [Nadeau]
Ignce tuotte pere	Etienne Duprée
rené Tuotte fils	Pier riopelle
Joseph Tuotte	Joseph livernoies [Livernois]
	D labrosse
	[Francois] Lepage
	Francois Gamelin
	francois Paul Malcher
Daniel Tuotte	Amable Mailloue
Isidore Robert	Joseph Dubergez
Antoin × Campau	Antoine Peltier
Etien × Robedau [Robidou]	Alexis × Pelthier
Louis × Robedau fils	Alexis Pelthier fils
Francois × Bombein [Beaubien?]	Joseph Pelthier
Joseph pouget	Isidore Pelthier
Alexis Laurenger	Andrée Lepage
Josph Jobin	Jacques Chovin
Joseph × Chattelro [Chatellereau]	Jacques Pernier
Francois + Luarent [Laurent]	J ⁿ B ^{te} Bosome [Beausome]
Francois Turgotte [Turcotte?]	louis Couture
Joseph Blanchar [Blanchard]	pasqualle × Bisonette [Bisonet]
Louis Joseph Lanfans [Lenfant]	Louis Basille + Cousinaux
Francois Mouton fils	Louis × Lajoix [Lajoie]
Jaques Cadussa [Cadieux?]	antoine × Lajoix

Antoine Nadaue [Nadeau]
 Andre poupare [Poupard]
 Joseph × Lanfan pere [Lenfant]
 Jos^h. Benjamin + Lanfans
 [Lenfant]
 Dominique × Lanfans
 Danniell M^eRea
 William Meldrum
 Isaac Dodemead
 Francois Chabert
 Isidore Chabert

Jacob Dicks Jun^r
 Jn^o. Cotterell
 Jeanbapteis Comparet
 James Abbott
 James Robertson
 Joseph Lincoln [?]

Challe × Lajoix
 Lavanture × robidaux [Robidou]
 jan baptise × Roux [Rous?]
 tousien × Cousinaux [Cousineau]
 basille × Cousinaux
 jan baptis × Bourdaux [Bourdeau]
 Etienne × Jacoplele [Jacob
 Gaudet?]
 Etienne × robidaux fils [Robidou]
 Jan baptise × reaume fils
 Josphe + robidaux fils
 Jaurien + Lafrance
 Josphe + Bisonette [Bisonet]
 Janbaptiste Le duc
 Philip Jolibois
 J Verdon
 Augustin Lafoy
 Lanberre [Lambert] Lafoy
 Alexis Laframboise
 Louis Le Couteulx [Coutu]
 François Lefontaine fils

PROCEEDINGS IN THE SENATE.⁸

FRIDAY, OCTOBER 21, [1803]. Mr. [Thomas] Worthington [Ohio] presented the memorial of Joseph Harrison and others. . . and the memorial was read.

Ordered, That it be referred to Messrs. Worthington, [John] Breckinridge [Ky.] and [Jesse] Franklin [N. C.] to consider and report thereon.

THURSDAY, OCTOBER 27. Mr. Worthington. . . made a report; which was read and ordered to lie for consideration.

TUESDAY, NOVEMBER 1. The committee report, That it appears from [the U. S. census of 1800 that the territory described contained 3972 free white inhabitants at that time. These are separated from the other settlements of the Indiana Territory by a tract of the Indian country at least 350 miles in extent, and that Vincennes the seat of government is still more distant. The committee are of opinion that the local situation of the inhabitants of Detroit and of the adjacent settlements requires special attention for obvious geographical reasons].

Resolved, That the prayer of the memorial of Joseph Harrison and others ought to be granted. . .

And the report was adopted.

Ordered, That the committee who made the report be instructed to prepare and bring in a bill accordingly. . .

FRIDAY, NOVEMBER 4. Mr. Worthington. . . reported "A bill to divide the Indiana Territory into two separate governments. . ."

MONDAY, NOVEMBER 7. The bill. . . was read the second time and referred to Messrs. [Stephen R.] Bradley [Vt.], [Uriah] Tracy [Conn.], [Abraham] Baldwin [Ga.], [Thomas] Worthington [Ohio] and [Jesse] Franklin [N. C.]. . .

TUESDAY, NOVEMBER 15. Mr. Worthington presented the petition of a number of the inhabitants of the Indiana Territory, praying to be set off into a separate district, for reasons therein stated.

Ordered, That it be referred to Mr. Bradley and others, the committee to whom were referred on the 7th instant, petitions on the same subject, to consider and report thereon to the Senate.

8. Proceedings here et seq. are from *The Debates and Proceedings in the Congress of the United States*. Washington, Gales and Seaton, 1852.

THE HON^{ble}. the Senate and House of Representatives of the United States.⁹

The undersigned Inhabitants of that part of the Indiana Territory, situate North, of an East and West line, extending thro' the Southerly Bend of Lake Michigan, Humbly Pray.

That the District of Country, North of said line, may be Erected into a Separate Territory, Subject to a Government, Organized upon principles similar to those contained in the Ordinance of Congress of the 13th of July 1787. Made for the Government of the late North-Western Territory.

Your Petitioners are induced to make this request, under a full conviction of the absolute necessity of the measure, to the promotion of the happiness and prosperity of this Country; and to remove the many embarrassments under which it has long groaned, owing to its local situation; and not from any personal dislike to the Officers of the Indiana Government. Was it possible for your Petitioners to maintain a regular intercourse with the rest of the Territory, and particularly with the Seat of Government; the propriety, and policy of the above Prayer might be questioned.—But it is believed, that upon a Geographical view of Our Country compared with the other parts of the Territory—The necessity of Erecting this part into a Separate Territory will appear strikingly evident.

'Tis the Wisdom and Patriotism which has been so eminently displayed in the measures of Government, that inspires your Petitioners with confidence that their Petition will be granted; If upon Investigation it should be deemed consistent with the Interest of the Union. And as in duty bound. Your Petitioners will ever pray.

Detroit 1st September 1803.

^{sa}
pierre + Cardinale [Cardinal]
Marq

^{sa}
Baptis + Laderout [Laderoute]
Marq

Louis Beufait
jean baptiste rivar [Rivard]
antoine Boyier [Boyer]
antoine Rodee [Rode]
antoine medard Boyier

9. From photostatic reproduction. Original in the Library of Congress. French translation in parallel column.

^{sa}
pierre + Laderout
Marq

^{sa}
Landre + Ladroche [Landroche]
Marq

^{sa}
Landre + Landroche fils
Marq

^{sa}
pierre + Landroche fils
Marq

Antoine Chovin [Chauvin]
Toussaint Chovin
Louis Thibeau [Thibault]
Jean Bt Chovin
Julien Campau

Pierre Rivard

Charle Chovin
Jean Durette [Duret]
j Bt Cochois père
j Bt. Cochois fils
Louis Deseaunier [Desaunier]
Louis Deseaunier fils
Nicolas Tivierge
Nicolas Chovin
entoine Larebl [Larabelle]
Loran grifar perre [Griffard]
Louis Renos [Renaud] perre
Joseph Grefar
Jaque renos

Joseph Renos
entoine grefar
Louis grefar

Josephe Tibauldou [Thibaudau]

^{sa}
Louis + Cochois
Maque

^{sa}
Robert + Thomas
Marque

Michel Comparet
Antoine Morace [Moras]
antoinne Morrass pere
Louis Sinaubien [St. Aubin]
Vitorre Morrass
Inniasse [Ignace] Morrass
Joseph Morrass
Jan B^{te} Chapoton pere
Loui Chapoton fis
antoine Chapoton fis
anrie [Andre or Henri ?]

Chapoton fis
Eustache Chapoton fis

^{sa}
Jaque + Sinaubien [St. Aubin]
Marq

^{sa}
Jaque + Sinaubien fis
Marq

pierre Landroche
Baptis Sinaubien

Contan Sinaubien
gabrielle Sinabien
J. B^t Dupra [Dupré]
Michel Dupra
Joseph Dupra
Louis Dupra
Louis Tremblé
Thomas Tremblé
François Tremblé
Benoy Tremblé
Léon Tremblé
François Tremblé pere

Fransois grefar	Josph tranbles [Tremblé]
Jaque alare perre [Allard]	Jacos marsaque [Jacob Marsac]
Jaque alare	enris Simonnet [Henri Simonet]
pierre alare	Fransais × blais perre [François Blait, père]
Louis alare	baties [illegible]
Joseph alare	Louis grefar perre [Griffard]
Jeulien fortons perre [Forton]	Louis grefar
Fransois fortons	Dominique grefar
Jeuliens fortons	Enace Sené perre [Ignace Sené, père]
Joseph Socier	Moui Se[ne] fis
polle Larose	Enace Sène
pier Greffar [Griffard]	Fransois tibo [François Thibault]
Je sertifie que toute	Josepht tranblee perre [Tremblé]
Les nom Isi de su que	Joseph lous tranblee
ce son Leur nom tel	pierre duchaine perre [Duchesne, père]
qui me Les ont donne	Enace tibos [Thibault] perre
Sertifie { Thomas tranbles	gagast Tranbles perre [Gage Tremblé]
Connetable	Lorans grefar perre [Laurent Griffard]
louis chapotons perre [Chapoton]	Louis mésons [Maison] perre
alxie chapauton fils	Cola mersons
Baptis Chovien perre [Chauvin]	enbrois Tranbles perre [Tremblé]
Baptis Chovien fils	enbroi Tranbles
Cp ^t ant baubien [Beaubien]	Joseph mariblais [Joseph Marie Blait or Blay]
Louis Campau	Janacce michel
jacque Lozon	Jacos [blank]
Alexei Peltier	Simon Yax
Josephe Peltier fils	Simon Cadai [Cadet]
Louis Campau fils	michel rivar perre [Rivard]
Francois × Berriau [Bariau]	Jacos tibos [Thibault]
marque	Joseph garan [Garand] perre

Josephe $\times$ Rapitale [Robitaille]
marque

Josephe $\times$ Dubé
marque

Bap^{te} $\times$ Dubé
marque

Alexei $\times$ Dubé
marque

Josephe $\times$ Dubé fils
sa marque

francois $\times$ Dubé fils

Louis Laforge

Louis Laforge fils

josephe Laforge

Nicolas Patnode [Patenaude]

Michele Duchene [Duchesne]

francois Duchene

Louis le Duc fils

Antoine Prévau [Prevost]

Bap^t Embroise [Ambroise]

joseph Enbroise [Ambroise]

nicola patenode perre [Patenaude]

Edw^d Edwards

John Skigley [?]

Henry M^eVay

Hugh M^eVay

Hugh M^eVay Jun^r.

junier [written to refer to previous
name, the "Jun^r." being in a
different handwriting].

Simon Mia [Maillet]

Franse Mia

Jacobe begue

pier maails [Maillet] perre

Joseph maails [Maillet]

francois maails

perre maails

Louis monrains [Moran?]

pierr du Chainé [Duchesne]

[Signatures to French version]

entoinne Campau

Joseph Sinpierr [St. Pierre]

Etinne Ballard

sa
Nicolla + Ballard
Marq

sa
Baptis + Malloche
Marq

Maurice Moran

sa
andre + Lepage
Marq

Joesph Sanfason [Sans Façon]

sa
roBerre + Janne [Jeane]
marq

[?] Bobien [Beaubien]

p c.p. [Pierre Campau?]

Paul Bellaier [Belair]

Josef Guibau [Guibault]

Louis Déaitre [Dehêtre?]

Claude Guoin

fra[n] cois Jous [Joux?]

sa
Joseph $\times$ renau [Renaud]
Marq

sa
Charle + petis ? [Petit?]
Marq

^{sa}
Bastite + Laforge
^{marq}

^{sa}
francois + pitre
^{marq}

^{sa}
J Baptis + tourrnesse
^{marq}
Ant : ne Beaubien fils

^{sa}
Phelix + Peltier
^{Marque}

^{sa}
Michel + harbin
^{Marque}

Joseph Roy

Jacque Roulait

Alexis Peltier fils

josephe Bonvoulosloire [Bonvouloir]

^{marque}
Abréme + Entehoez [?]
^{marque}

Baptiste + Letourneau

Charles + Petit

jan + Claire

Antoine Petit

^{marque}
Louis × Goulet

Pierre × Lanoux

Basile Belangé

Joseph × Burgias [Bourgeas]

Pierre × Lemai

Baptiste × Lemoine

Antoine Simont

John Retz

Francis Mason

^{sa}
Charle + petis ? fils
^{Marq}

^{sa}
Jsak [Jacque?] + petis ?
^{Marq}

^{sa}
Joseph × Dusau[lt]
^{Marq}

Jacques Campau

Lambert Bobien [Beaubien]

Denis Campau

Gabriel Chan [Chesne or Chene]

antoine La forrest [Laforest]

gabriel chene fils [Chesne]

Ch. Poupard

^{sa}
— [?] × petis [Petit?]
^{Marq}

^{sa}
francois + Lauson [Lozon]
^{Marq}

^{sa}
pierre × gandron [Gendron]
^{Marq}

[Indorsed]

8 Cong....L.... 1 Sess.

In Senate U. S.

Tuesday 15th Nov

1803

Read & referred to
the committee
appointed 7th Nov
to whom was
referred a petition
of a similar nature

• • attest

Sam A. Otis

8 Cong....L... 1 Sess.

Petition of certain Inhabitants of Indiana, praying to be set off in a
separate territory—

15. Nov. 1803.

PROCEEDINGS IN THE SENATE

(Continued)

WEDNESDAY, NOVEMBER 16, [1803]. Mr. Bradley. . . reported the bill with amendments; which were read and ordered to lie for consideration.

TUESDAY, DECEMBER 6. The bill . . was read the third time and further amended; and

Resolved, That this bill pass. . .

PROCEEDINGS IN THE HOUSE OF REPRESENTATIVES.

TUESDAY, DECEMBER 6 [1803]. A message from the Senate informed the House that the Senate have passed a bill entitled "An act to divide the Indiana Territory into two separate governments;" in which they desire the concurrence of the House.

THURSDAY, DECEMBER 8. The bill sent from the Senate . . was read twice and committed to Mr. [John Baptiste Charles] Lucas [Pa.], Mr. [Jeremiah] Morrow [Ohio], Mr. [Martin] Chittenden [Vt.], Mr. [Matthew] Lyon [Ky.] and Mr. [Clifton] Claggett [N.H.]

FRIDAY, DECEMBER 30. Mr. Lucas . . . reported that the committee had had the said bill under consideration and agreed to a report thereupon; which he delivered in at the Clerk's table, where the same was read, and, together with the bill, ordered to be referred to a Committee of the whole House on Tuesday next.

MONDAY, FEBRUARY 20, [1804]. The House went into a Committee of the whole on the report of a select committee on the bill from the Senate, to divide the Indiana Territory into two separate Governments. The report, for the reasons assigned, recommends a rejection of the bill.

. . .Supported by Messrs. [Andrew] Gregg [Pa.] and Lyon principally on the ground that the population around Detroit was too small to justify the expenses attending a separate Territorial Government . . advantages derived from a separate government . . . might and would be claimed, with equal justice, by several detached settlements in the Mississippi and Louisiana Territories.

. . .Opposed by Messrs. Lucas, [John George] Jackson [Va.] [James] Sloan [N.J.] and Morrow on a variety of grounds. They contended that equal justice was due to every member of the American community and that of course, however small the population, it was entitled to the same protection with a community composed of larger numbers; that the distance of this population from St. Vincennes was so great as to deprive them of the benefits

resulting from the administration of justice; that Michilimackinac, which exported produce valued at above \$200,000, and from whose imports the United States derived a revenue of \$17,000 was more than eight hundred miles from the present seat of government.

The question being put on agreeing to the report, it passed in the negative—yeas 34.

When the bill from the Senate was read, and so amended as to designate the new Territory by the name of Michigan, instead of Northwestern Territory; and the Committee rose and reported the bill which was ordered by the House to a third reading to-morrow.

THURSDAY, FEBRUARY 21. . . . Read the third time.

Mr. [James] Holland [N. C.] moved to postpone its further consideration until the first Monday in November next . . . disagreed to—yeas 56, nays 62. . .

The question was then taken on the passage of the bill, and passed in the negative—yes 58, nays 59.

The bill is therefore lost.

To the Honn^{ble}. the Senate, and the Honn^{ble}. house of Representatives of the United States of America in Congress assembled.¹⁰

We the undersigned memorialists, Citizens and Inhabitants of that district of the Indiana territory Situate North of an East & West line, extending thro' the Southerly bend of lake Michigan, humbly pray the Speedy interposition of Congress in relief of the oppression and embarassments under which we at present labour,—originating in local causes, and which your Memorialists endeavoured to point out and impress with force by their petitions presented to Congress, at their last Session, praying for a Separate territory. Notwithstanding the unhappy fate which these petitions met with, and the consequent disappointments your Memorialists experienced on failure of their wishes, Yet our present Situation is too distressing to justify our Silence upon a Subject of Such infinite Consequence to the Government, to ourselves and to our posterity.

But one Sentiment prevails within this district upon the expediency as well as necessity of a Separate territory; it is but too

10. From photostatic reproduction. Original in the Library of Congress. In English and French.

evident that upon the Success of this Single measure depends the happiness, good order, and prosperity of the Citizens of this district, whilst its failure cannot but produce consequences of a Serious and alarming nature tending to all the horrors of outla[w]ry, oppression and anarchy.

Impressed with a full belief that our Government are desirous of increasing the happiness of the Citizen regardless of the quarter of the Union he may Inhabit, We are again induced earnestly to Sollicit Congress that our Situation may not be passed over in Silence, but that Congress will, at an early period in the approaching Session, take up, and reconsider the prayer of your Memorialists presented at the last Session, and if possible & consistent with Sound policy, grant to your Memorialists a Separate, distinct, and independent territory, as prayed for in Said Memorial, and for the Causes therein named.

Did your Petitioners conceive it necessary to enumerate new and additional reasons Shewing the expediency of granting their prayers, many might be adduced. One in particular we beg leave to State, which Shews forcibly the impossibility of the present Government to extend law to us.

From good authority we State that in the month of September A.D. 1803, the legislature of the Indiana territory adopted Several laws, altering, amending, and Repealing those then in force, yet those laws, altho' adopted more than twelve months past, have never yet been Seen in this place, of course have not come into operation in this district; by Stating this fact, We do not intend to attach any blame or censure upon our Governor, but to demonstrate the impracticability of Communicating with the Seat of Government.

We beg leave further to State that active measures are now on foot thro the territory for entering upon the Second or Representative grade of Government; this Step, if Succesfull, will greatly add to the burdens under which we now labour, by an increase of taxes without any possible Chance of Sharing a proportional degree of benefit.

Your Petitioners therefore do again Renew their prayer that Congress will erect into a Separate territory that district of land north of the above mentioned line, and grant your Petitioners a Government Similar to the one Contemplated by the Ordinance of Congress of

1787 for the organisation and Government of the late north-west territory. And, as in duty bound, will ever pray &

Detroit the 24th october 1804.¹¹

James May	John M. Baubin [Beaubien]
	Henry Berthelet
W ^m . M ^c Scott	Francois Paul Malcher
Jacob Visger	Ant. Dequindre
E. Brush	Louis Beufait pere
Solomon Sibley	N. Gouin
Peter Audrain	ant. baubien [Beaubien]
Rich ^d . Smyth	G. Godfroy
Jas. Henry	Christian Clemens
W. M ^c Coskry	Daniel M ^c Neal
Israel Hunt	Robert Navarre
Isaac Gagné	Charles Curry
Archibald Horner	
Edward Tucker	Jas. McDonnell
chas Michelle Campaux [Campau]	Joseph Sanfason [Sans Façon]
Robert Abbott	Ignace Moras
Ch. F. Girardin	Samuel Allin
Louis peltier	Samuel Hall
Sam: ^{his} X Petit	John ^{his} X B. Doney
mark	mark
L Lognon	Joseph baubien [Beaubien].
Gabriel Godfroy fils	Jean Baptiste Vantay
Charles Goüin	Joseph Voyer Jun
B Campau	Richard Donovan
François S ^t Germain	
François Duprè	Paul Bellair

11. Cf. *Corporation of the Town of Detroit*.....*Journal of the Board of Trustees, 1802-1805*, p. 72: [October 1, 1804] "WHEREAS it appears to this board, that it is very necessary that a new memorial be framed and prepared to be forwarded to the Congress of the United States early in their Next Sessions, for the purpose of obtaining the division of the Indiana Territory, the board do direct their Secretary to put up an advertisement in french & english, that on Saturday the 13th october inst^d. a town meeting will be held at the Court house at 11. o'clock in the forenoon, where all the Citizens of the Corporation and its Vicinity are invited to attend, to give their opinion and their help towards promoting this business."

pier Gouin	Joseph Boselair [Beausolier?]
James Harsen	Abraham Cook
Jn ^o Goff	Joseph Wever
Ja ^s Fraser	John Conner
Conro[d] Se[e]k	Ph. Lecuyer
Adam Gentle	Dan ^l . Larzelere
Toussaient Campau	Pierre Chène
Rob ^t . H McNiff	^{his} Antoine X Laforty [Laferté]
James Dodemead	^{mark} Jos Coté
Pierre Desnoyers	Pierre Peltier
B ^{te} . Piquette	^{sa} Etienne X Duppra [Dupré]
Antoine Peltier	^{marqu} Joseph ExCendre [Alexander?]
Henry J. Hunt	Joseph Cherboneau
Benjamin Chittenden	Alexei baubien [Beaubien]
	Alexei Saulot [Solo]

[Indorsed]

Town of Detroit, and
its Vicinity

Grand Jury)
at the Circuit Court)
24th octber 1804)

PROCEEDINGS IN THE SENATE.

WEDNESDAY, DECEMBER 5, [1804]. Mr. [Thomas] Worthington [Ohio] presented the petition of James May and others, citizens and inhabitants of that district of the Indiana Territory situate north and east of a west line [!], extending to the southern bend of Lake Michigan, praying that said district may be divided into a separate Territory, extending north of the above mentioned line; and the petition was read and referred to Messrs. Worthington, [John] Breckenridge [Ky.] and [William Branch] Giles [Va.] to consider and report thereon to the Senate.

TUESDAY, DECEMBER 6. Mr. Worthington presented the petition of "the democratic republicans of the county of Wayne in the Territory of Indiana," signed by their chairman, Robert Abbot, praying a division of said Territory, for reasons therein stated; and the petition was read and referred to the committee appointed yesterday, to whom was referred the petition of James May and others, on the same subject. . .

The Senate and House of Representatives }
of the United States in Congress Assembled }

The *Democratic Republicans* of the County of *Wayne* in the Territory of *Indiana*,¹² come *collectively* forward for the *first time*, in order to state to Congress, the situation and the wishes of these frontier Settlements.—

We ask of Congress a Division of the Indiana territory,—and a separate local government for those Settlements, which at this time compose the County of Wayne, whose southern boundary shall be, a line drawn from the southern extremity of Lake Michigan in such a south easterly direction, until it meets the western boundary of the State of Ohio, or Lake Erie, as to include within said local government, the small settlements at the old forts Defiance, and Miamis, and also all the settlements on, and adjacent to River Raisin.

Not, that we would be obstinately troublesome, in the repetition of requests, which have been once denied us—but subjected as we have been, to a variety of embarrassments arising naturally out of our present organization, we are induced to believe, that Congress will,

12. From photostatic reproduction. Original in the Library of Congress. Another copy without signatures is in the papers of Solomon Sibley. Its wording differs slightly from the text here printed.

without reluctance, give their attention to the reconsideration of our claims, founded, as we conceive in justice and in policy.

Suffer us to entreat you, to have justice promptly and impartially administered: compel us not to wander seven hundred miles, thro' inhospitable deserts, for the redress of wrongs, which the uncertainty of punishment, and the hopes of impunity, have, perhaps in many instances caused us to suffer.—

Persons *capitally punishable*, are seldom prosecuted to convictions. They remain in confinement for the want of competent authority to try them, until they are forgotten, when, with the assistance of their associates in guilt, they break their bonds, and deride, from the opposite bank, the impotence of our Magistrates.—

In *Civil matters*, too, the delay and the expense are equally fatal.—During the last eight years, we have had but two Circuit Courts.—The Creditor is deterred from an appeal to the laws, under the painful assurance, that altho' justice is not *sold*, it costs more than, some among us are, able to pay.—

These evils permit us to observe, will now be felt with accumulated weight, since the attention of our Governor and Judges, must now be shared with us by a large tract of additional Territory, annexed during your last session to the Indiana.

You know precisely our *situation*, our *Wants*, & our *necessities*. It will be unnecessary for us to repeat, with minutes [minuteness], the arguments which were formerly detailed, in support of the justice, and the reasonableness of our pretensions.—

Our intercourse with Vincennes, *always* dilatory, circuitous and difficult, is now almost at an end, by a change in our Post rout to Warren in the State of Ohio. The people of Vincennes and of Detroit, governors and governed, as well as corresponding traders, can no longer rely on the mail conveyance, which must of necessity be substituted by expresses or by casual opportunities.—

But at the same time that we remark this superadded difficulty in our correspondence with Vincennes, we must be permitted to express our obligations for a more ready ready [!] and expeditious intercourse with the seat of the general government which this change will probably afford us.

And may not our contiguity to the British Province of Upper Canada, be alledged as an argument to strengthen the *expediency* at least, and the policy of gratifying the hopes of your Petitioners? Those anti-republican notions which some of our Citizens from local and temporary causes have imbibed, will be done away, when, by strengthening their ties of dependance on the general government, they are enabled the better to estimate the admirable administration of its Laws.

The frequent transfer of their allegiance from the French to the English, and from the latter to the United States, has left them destitute of all *Patriotic* attachment to either. The regular and moderate exertion of authority blended with justice, would perhaps *fix* their wavering attachments, and render them, at some future period, a faithful body of Citizen-Soldiers, in whom the government might rely for the protection of this frontier.

Our Sheriff has lately received the Governor's Proclamation, injoining him to open a Poll, and try by election, the sense of the people with respect to entering the Representative or second grade of Government.—We are positively opposed to this measure, tho' it is possible that *our* Voices, may *not* be heard amidst the imposing wishes of a constitutional majority composing the other Settlements.

To Conclude we indulge the hope, that it is not the intention of the general government, to conduct us through the usual stages to State-Sovereignty, dispersed and scattered as we are, over an empire of forest.

We patiently submit ourselves to your decision, whatever it may be, and desire you to be persuaded of our unlimited confidence.

Rob^t. Abbott
Chairman

Attest

G^o.Hoffman Secretary

[Indorsed]

8 Cong. . . . L. . . . 2^d Sess.

Petitions from Indiana
territory; praying for a separate
government.

Referred to Mr. Worthington and others.

1804

Dec. 14. Report a bill for dividing the
Indiana territory into two
separate government.—

PROCEEDINGS IN THE SENATE.

(Continued)

TUESDAY, DECEMBER 11 [1804]. Mr. Worthington from the committee to whom was referred on the 5th instant, the petition of James May and others, citizens of the Indiana Territory, asked and obtained leave to report by bill.

FRIDAY, DECEMBER 14. Mr. Worthington . . . reported a bill to divide the Indiana Territory into two separate Governments; which was read and ordered to the second reading.

TUESDAY, DECEMBER 18. . . .Read the second time and ordered to lie for consideration.

WEDNESDAY, DECEMBER 19. The Senate resumed the second reading . . . and ordered that the bill pass to the third reading.

THURSDAY, DECEMBER 20. . . .Read the third time and the further consideration thereof postponed.

FRIDAY, DECEMBER 21. The Senate resumed the third reading . . . and on motion to amend the bill, it was agreed that the consideration thereof be further postponed.

MONDAY, DECEMBER 24.—The Senate resumed the third reading of the bill . . . and having amended the same,

Resolved, That this bill do pass, that it be engrossed, and that the title thereof be "An act to divide the Indiana Territory into two separate governments."

PROCEEDINGS IN THE HOUSE OF REPRESENTATIVES.

WEDNESDAY, DECEMBER 26. The bill sent from the Senate, entitled "An act to divide the Indiana Territory into two separate Governments" was read twice and committed to Mr. [Andrew] Gregg [Pa.], Mr. [Jeremiah] Morrow [Ohio],

Mr. [Henry Walter] Livingston [N. Y.], Mr. [Willis] Alston [Jr. N. C.] and Mr. [Clifton] Claggett [N. H.].

WEDNESDAY, JANUARY 2, [1805]. Mr. Gregg . . . reported that the committee had directed him to report the same to the House without amendment: Whereupon the bill was committed to a Committee of the Whole, to-morrow.

FRIDAY, JANUARY 4. The House resolved itself into a Committee of the Whole . . . and after some time spent therein, the bill was reported with an amendment which was twice read and agreed to by the House.

Ordered, That the said bill with the amendment be read the third time on Monday next.

MONDAY, JANUARY 7, 1805. The bill . . . together with the amendment agreed to on Friday last, were read the third time and passed.

PROCEEDINGS IN THE SENATE

(Continued)

MONDAY, JANUARY 7, [1805]. A message from the House of Representatives informed the Senate that the House have passed the bill sent from the Senate for their concurrence, entitled "An act to divide the Indiana Territory into two separate governments," with an amendment in which they desire the concurrence of the Senate.

TUESDAY, JANUARY 8. The Senate resumed the consideration of the amendment of the House of Representatives to the bill . . . and concurred therein.

AN ACT TO DIVIDE THE INDIANA TERRITORY
INTO TWO SEPARATE GOVERNMENTS.¹³

Be it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of June next, all that part of the Indiana Territory, which lies North of a line drawn east from the southerly bend or extreme of lake Michigan, until it shall intersect lake Erie, and East of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States, shall, for the purpose of temporary government, constitute a separate territory, and be called Michigan.

Sec. 2. *And be it further enacted, That there shall be established within the said territory, a government in all respects similar to that provided by the ordinance of Congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the territory of the United States, north west of the river Ohio; and by an act passed on the seventh day of August, one thousand seven hundred and eighty-nine, entitled "An act to provide for the government of the territory north west of the river Ohio;"*¹⁴ and the inhabitants thereof shall be entitled to, and enjoy all and singular the rights, privileges, and advantages granted and secured to the people of the temporary government, constitute a separate territory, and be called Michigan.

Sec. 3. *And be it further enacted, That the officers for the said territory, who by virtue of this act shall be appointed by the President of the United States, by and with the advice and consent of the Senate, shall respectively exercise the same powers, perform the same duties, and receive for their services, the same compensations, as by the ordinance aforesaid and the laws of the United States, have been provided and established for similar officers in the Indiana Territory; and the duties and emoluments of superintendant of Indian affairs, shall be united with those of governor.*

Sec. 4. *And be it further enacted, That nothing in this act contained, shall be construed so as, in any manner, to affect the government now in force in the Indiana Territory, further than to prohibit the exercise thereof within the said territory of Michigan, from and after the aforesaid thirtieth day of June next.*

13. *Laws of the United States of America*, vol. 7, 1805, pp. 241-243.

14. The Act of 1789 made certain provisions adapting the Ordinance of 1787 to the new Constitution of the United States. It directed that all information given or communications made by the governor of the Territory of the United States Northwest of the River Ohio, should be addressed to the president; gave the latter executive power in the appointment and repeal of territorial officers, and authorized and required the territorial secretary to act for the governor in case of removal, resignation, or necessary absence. By virtue of this last clause, Winthrop Sargent issued his proclamation erecting Wayne County.

Sec. 5. *And be it further enacted*, That all suits, process, and proceeding, which, on the thirtieth day of June next, shall be pending in the court of any county, which shall be included within the said territory of Michigan; and also all suits, process, and proceedings, which on the said thirtieth day of June next, shall be pending in the general court of the Indiana Territory, in consequence of any writ of removal, or order for trial at bar, and which had been removed from any of the counties included within the limits of the territory of Michigan aforesaid, shall, in all things concerning the same, be proceeded on, and judgments and decrees rendered thereon, in the same manner as if the said Indiana Territory had remained undivided.

Sec. 6. *And be it further enacted*, That Detroit shall be the seat of government of the said territory, until Congress shall otherwise direct.

NATHL. MACON,
Speaker of the House of Representatives.

A. BURR,
*Vice-President of the United States, and
President of the Senate.*

January 11, 1805.

APPROVED,

TH: JEFFERSON.

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